

1 BILL NO. R-81-05- 05

2 DECLARATORY RESOLUTION NO. R- 55-81

3
4 A DECLARATORY RESOLUTION designating
5 an "Urban Development Area" under
6 I.C. 6-1.1-12.1.

7 WHEREAS, Petitioner has duly filed its petition dated
8 May 6, 1981, to have the following described property desig-
9 nated and declared an "Urban Development Area" under Division
10 6, Article II, Chapter 2 of the 1974 Municipal Code and I.C.
11 6-1.1-12.1, to-wit:

12 Lots 506 and 507, Hanna's Addition
13 to the City of Fort Wayne, Indiana,
14 located at and commonly known as:
15 229 West Berry Street
16 Fort Wayne, Indiana;

17 WHEREAS, it appears that said petition should be pro-
18 cessed to final determination in accordance with the provision
19 of said Division 6.

20 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL
21 OF THE CITY OF FORT WAYNE, INDIANA:

22 SECTION 1. That, subject to the requirements of Sec-
23 tion 2 below, the above described property is hereby designa-
24 ted and declared an "Urban Development Area" under I.C. 6-1.1-
25 12.1.

26 SECTION 2. That the foregoing is subject to:

- 27 (a) An affirmative ("Do Pass") recommendation
28 by the Fort Wayne Redevelopment Commission,
29 after due hearing, analysis and study in
30 accordance with the provisions of Division
31 6, Article II, Chapter 2 of the Municipal
32

Code of the City of Fort Wayne, Indiana
of 1974.

(b) Final confirmation hereof by due passage
upon the final vote hereon.

SECTION 3. That this Resolution shall be effective upon
passage and approval by the Mayor.


COUNCILMAN

APPROVED AS TO FORM AND
LEGALITY MAY 8, 1981.


BRUCE O. BOXBERGER, CITY ATTORNEY

Read Read the first time in full and on motion by Via Junta, seconded by D. Belmont, and duly adopted, read the second time by title and referred to the Committee By resolution (and the City Re-Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock _____ day of _____ M., E.S.T.

DATE: 5-12-81

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Via Junta, seconded by Belmont, and duly adopted, placed on its passage. PASSED (lost) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>	<u>1</u>			
BURNS		<u>X</u>			
EISBART	<u>X</u>				
GIAQUINTA	<u>X</u>				
NUCKOLS	<u>X</u>				
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
SCHOMBURG	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE: 7-14-81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)

(APPROPRIATION) ORDINANCE (RESOLUTION) No. B-55-81

on the 14th day of July, 19 81.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of July, 19 81, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 20th day of July, 19 81, at the hour of 11 o'clock A M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. R-81-05-05

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN
ORDINANCE A DECLARATORY RESOLUTION designating an "Urban Development
Area" under I.C. 6-1.1-12.1

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK E. GIAQUINTA, CHAIRMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

DONALD J. SCHMIDT

Mark E. Giaquinta
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
Donald J. Schmidt

7-14-81 CONCURRED IN
DATE CHARLES W. WESTERMAN, CITY CLERK



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -- room 122

May 6, 1981

Bruce O. Boxberger, City Attorney
8th Floor
City-County Building
One Main Street
Fort Wayne, IN 46802

Dear Mr. Boxberger:

Please find enclosed an Application for consideration for designation as an urban development area with attached receipt for the \$50.00 filing fee from Robert T. Hoover, Attorney.

As per procedure established by Resolution No. R-80-79, I am requesting that your department prepare a Declaratory Resolution, which designates an "urban development area" (qualification for tax abatement), should be prepared in accordance with Resolution No. R-80-79 and Public Law No. 69, Acts of 1977, as amended by Public Law No. 56, Acts of 1979.

Sincerely yours,

Charles W. Westerman
City Clerk

CWW/mbv
Enclosures

**FORT WAYNE
REDEVELOPMENT
COMMISSION**

DATE: June 24, 1981 *R-81-05-05*
TO: Councilman Mark Giaquinta
FROM: Council Committee on Regulations
Gary E. Wasson, Executive Director
SUBJECT: City Council Bill No. R81-05-05
Tax Abatement - 229 West Berry

Background

On May 12, 1981 Declaratory Resolution No. 81-05-05 was introduced in City Council requesting designation of the property located at 229 West Berry as an "urban Development area" for purposes of tax abatement. The Resolution was then referred to the Regulations Committee. In accordance with Resolution No. R-80-79, the Declaratory Resolution was then referred to the Redevelopment Commission for public hearing.

Action

The Fort Wayne Redevelopment Commission conducted the Public Hearing on June 8, 1981. No one spoke in opposition to the abatement request.

Recommendation

Following the public hearing, the Redevelopment Commission at their Regular Meeting on June 8, 1981, did adopt the attached Resolution No. 81-25 recommending to the Common Council a "Do Pass" to your Declaratory Resolution designating:

Lots 506 and 507, Hanna's Addition to the
City of Fort Wayne, Indiana,

located at and commonly known as:

229 West Berry Street,
Fort Wayne, Indiana

as an "urban development area" for purposes of I.C. 6-1.1-12.1, as enacted by the General Assembly of the State of Indiana.

Rationale

The Redevelopment Commission staff received the aforementioned application and found that:

Leonard G. Murphy is going to rehabilitate the building for general office purposes. Upon the advise of architects, however, there has been some limited work done, on an emergency basis, because of leaks and other damage being caused by the elements and to prevent further damage to the structure. (See Attachment) Negotiations have commenced with both out-of-town and in-town prospective tenants and individual floor plans will depend upon the needs of the individual tenants. The cost of the project will be approximately \$600,000 and there will be an increase in employment.

Councilman Mark Giaquinta
Page 2
June 18, 1981

It is the opinion of the Commission that the property at 229 West Berry qualifies as an "urban development area" in view of the fact that the proposal meets many of the objectives of the Redevelopment Commission, as stated in Resolution No. 78-5 authorizing implementation of procedures with regard to Public Law No. 69, as amended. The objectives, which are addressed by the Leonard G. Murphy, proposal are as follows:

- (a) effective utilization of vacant or underutilized land,
- (b) improvement in the physical appearance of the City,
- (c) increase in employment
- (d) neighborhood conservation and stabilization, and
- (e) rehabilitation or replacement of obsolete or deteriorated structures

Additional positive weight should be given to this proposal since:

1. The property is within the area previously determined by the Commission in the Downtown First Stage Development Studies as being underutilized.

If you have any questions, please contact this office.

GEW/jes
enclosure
cc: Charles Westerman
City Clerk

GRINSFELDER-McARDLE ASSOCIATES, INC.

ARCHITECTS

Alan R. Grinsfelder • E. Gerald McArdle • Thomas D. Boardman • Richard W. Wismer • Michael W. Poorman
1695 2496 2257 3434

I.B.C. 10-X 11/27/80
File

May 22, 1981



Mr. Gary Wasson, Director
Redevelopment Commission
8th Floor
City-County Building
One Main Street
Fort Wayne, IN

Dear Mr. Wasson:

I am writing this letter on behalf of my client, Leonard Murphy, who owns the College Building at 229 West Berry Street, Lots 506 & 507 in Hanna's Addition.

Our architectural firm has worked with Mr. Murphy to give instructions to contractors on replacing the existing wood windows with the new metal ones and to do demolition work to interior non-bearing partitions in the building.

It was critical that this work be done as soon as possible to stop further deterioration of the structure caused by the cold and wet weather. The old windows were broken and this condition was allowing the weather to damage the building. The old windows also caused a security problem that allowed mischevious damage to occur in the building. The new metal framed fixed glass windows have reduced this considerably.

The old wood interior partitions posed a fire hazard; therefore, we had these removed to safeguard it from further damage.

If you have further questions about our services to Mr. Murphy in this matter and the work done, please contact me.

Sincerely,

GRINSFELDER-McARDLE ASSOCIATES, INC.

Alan R. Grinsfelder

ARG/mak

APPLICATION FOR CONSIDERATION FOR
DESIGNATION AS AN URBAN DEVELOPMENT AREA

This Application is to be completed and signed by the owner of the property where property redevelopment or rehabilitation is to occur. The Common Council of the City of Fort Wayne reviews this Application for designation as an "Urban Development Area" in discharge of its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977 and amended in 1979. The Common Council makes no representation as to the effect of a designation granted by the Council for purposes of any further applications or approvals required under Public Law 69, and makes no representation to an applicant concerning the validity of any benefit conferred under Public Law 69.

1. Address of Property 229 West Berry Street, Fort Wayne, Indiana
Street Boundaries (if applicable)
Southeast corner of Berry Street and Webster Street
 2. Legal Description of Property Lots 506 and 507, Hanna's Addition to the City of Fort Wayne, Indiana
 3. Township Wayne
 4. Taxing District City-Wayne
 5. Current Zoning District B3A
 6. Variance Grant (if any) None
 7. Owner(s) Anthony Wayne Bank, Trustee under Trust dated January 11, 1979, known as Trust No. 776-See Attachment
 8. Address of Owner(s) Suite 200 Commerce Building Fort Wayne, Indiana 46802
 9. Telephone Number 743-4704
 10. Agent of Owner (if any) Robert T. Hoover
 11. Address 2400 Fort Wayne National Bank Bldg., Fort Wayne, Indiana 46802
 12. Telephone Number 424-8000
 13. Relationship of Agent to Owner Attorney
 14. Instrument Number of Commitments or Covenants Enforceable by City (if any) None known
 15. Current Use of Property - See Attachment
 - (a) How is property presently used? See Attachment
 - (b) What structure(s) (if any) are on the property? See Attachment
 - (c) What is the condition of this structure/these structures? See Attachment
 16. Current Assessment on Land and Improvements - 1979 payable 1980
 - * (a) What is the amount of latest assessment?

Lot 506 -	\$31,800.00
Lot 507 -	\$32,900.00
Total -	\$64,700.00
 - (b) What is the amount of total property taxes paid the immediate past year? (indicate amount of land assessment and assessment on improvements) \$4,295.42 - Lot 506-Land-\$21,000 Lot 507-Land-\$24,000
Bldg-\$11,900 Bldg-\$ 7,800
- * Property is assessed for usage as a dormitory according to the Wayne Township Assessor; rehabilitation and change of use to general office purposes will result in a higher assessment.

17. Description of Project Rehabilitation for general office purposes. No presently existing tenants or signed leases, but negotiations have commenced with both out of town and in town prospective space tenants. Final plans for individual floors will depend upon size of space and needs of individual space tenants.
18. Development Time Frame
- (a) When will physical aspects of development or rehabilitation begin? Immediately
- (b) When is completion expected? 6 - 9 months estimated, depending upon lease negotiations.
19. Cost of project (not including land cost) \$600,000.00 estimated
20. Permanent Jobs Resulting from Completed Project
- (a) How many permanent employees will be employed at or in connection with the project after it is completed? Unknown
- (b) What kind of work will employees be engaged in? General office employees, plus additional maintenance personnel
- (c) How many jobs new to Fort Wayne will be created as a result of project completion? Unknown, although present lease negotiations contemplate both expansion of local businesses as well as relocation of out of town businesses.
21. Additional municipal services necessitated by project (eg. enlargement of sewer, improvement of streets) None
22. Undesirability for Normal Development
- What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"? The property is a part of the central business district, some of which is currently being rehabilitated. General office purposes appears to be the highest and best use of the property. The size of the land and cost of complete demolition of the building prevents destruction of the building for other purposes. Because of its size, location, gross leaseable area per floor and other factors, this building cannot compete for space tenants with newer office buildings. With proper tax abatement it appears that there will be a market for this type space upon rehabilitation. Rehabilitation and use of existing central business structures by private ownership is a most desirable part of central business area redevelopment.
23. Furtherance of City Development Objectives (circle letter and explain)
- (a) Will the project improve utilization of vacant under-utilized land? _____
- (b) Will the project improve or replace a deteriorated or obsolete structure? Substantial improvement to an obsolete and deteriorated structure.

- (c) Will the project preserve a historically or architecturally significant structure? Exterior of building with new windows and certain improvements is compatible with surrounding structures.
- (d) Will the project contribute to the conservation and/or stability of a neighborhood? Proposed use will help promote stability of area.
- (e) Will the project provide a more attractive appearance for the City (eg. restoration of a facade, landscaping, new design)? New windows and other limited exterior improvements will significantly improve the attractiveness of the structure.

24. Zoning Restrictions

Will this project require a rezoning, variance, or approval before construction is initiated?

_____ Yes X No

25. Financing on Project

What is the status of financing connected with the project? Financing has not been completed, depending largely on final space tenant requirements. Economic development bonds are contemplated, but EDC approval has not been obtained as of the date hereof. The beneficial owner of the property has the business experience, financial background and ability to arrange acceptable financing for the project.

I hereby certify that the information and representations on this Application are true and complete.

Signature(s) of Owner(s)

ANTHONY WAYNE BANK, Trustee as aforesaid.

By:

Leonard G. Murphy
Leonard G. Murphy, its
duly authorized agent

April 22, 1981

Date

ATTACHMENT TO APPLICATION FOR
DESIGNATION AS AN URBAN DEVELOPMENT AREA

7. (Continued)

Lot 506 is presently titled to Anthony Wayne Bank, not individually, but solely in its capacity as Trustee under a Trust Agreement dated January 11, 1979, known as Trust No. 776. Leonard G. Murphy is the sole beneficial owner of said Trust.

Lot 507 is presently titled to Meca, Inc., an Indiana corporation, of which Leonard G. Murphy is the sole shareholder. The above-described Trust holds an option to purchase Lot 507 from Meca, Inc.

15. (a) How property is presently used?

The property is presently vacant. It was formerly used primarily as a dormitory for the International Business College, although a small portion was used for a beauty college or hair-styling school. Because of the small dorm units, age and general deterioration, it will be necessary to completely rehabilitate the interior of the property.

(b) What structures are on the property?

The main structure consists of a five (5) story brick building constructed in 1921 with some alterations made in 1946. Each floor contains approximately 5,000 square feet with storage area located in the basement.

There is also a small brick garage located on Lot 507 of approximately 1,272 square feet, suitable for parking of not more than 5 cars.

The balance of the property consists of paved parking facilities.

(c) What is the condition of these structures?

Because of age, obsolescence, deterioration, type of former use and other factors, the inside of the main structure must be demolished and completely rehabilitated. With the exceptions of windows and minor roof repairs, the exterior of the structure is usable and can be preserved with repairs.

General rehabilitation has not been commenced. Upon the advice of architects, however, work has commenced solely as to installation of new windows and demolition of interior partitions and toilet areas for the purpose of preventing further deterioration to the structure. This limited work was necessary on an emergency basis because of leaks and other damage being caused by the elements and to prevent further damage to the structure. Plans as to rehabilitation have not yet been completed.

CITY CLEANS OFFICE
Room 122 City-Country Bldg.
One East Main Street
Fort Wayne, Indiana 46802

NO. 147

May 6 1937

RECEIVED FROM _____

_____ DOLLARS

Fifty & 20/100

Account Total \$ _____

Amount Paid \$ _____

Balance Due \$ _____

"THE EFFICIENCY LINE" AN AMPAD PRODUCT